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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/759,328      | 01-16-2001  | Shigetsugu Hayashi   | 201638US0DIV        | 3154             |

22850 7590 10-02-2002

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EXAMINER

DIXON, MERRICK L

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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1774

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DATE MAILED: 10/02/2002

Please find below and/or attached an Office communication concerning this application or proceeding.



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|--------------------|----------|-----------------|---------------------|
| APPLICATION NUMBER | INVENTOR | INVENTOR'S NAME | ATTORNEY DOCKET NO. |
|--------------------|----------|-----------------|---------------------|

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| EXAMINER |
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| ART UNIT | PAPER NUMBER |
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DATE MAILED:

This is a communication from the examiner in charge of your application  
COMMISSIONER OF PATENTS AND TRADEMARKS

### OFFICE ACTION SUMMARY

Responsive to communication(s) filed on \_\_\_\_\_

This action is **FINAL**

Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 D.C. 11, 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 30 days month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. § 133. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

#### Disposition of Claims

☒ Claim(s) 1-19 is/are pending in the application.  
Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
Claim(s) \_\_\_\_\_ is/are allowed.  
Claim(s) \_\_\_\_\_ is/are rejected.  
Claim(s) \_\_\_\_\_ is/are objected to.  
☒ Claims 1-19 are subject to restriction or election requirement.

#### Application Papers

See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

The specification is objected to by the Examiner.

The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. § 119

Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

All ☐ Some ☐ None ☐ of the CERTIFIED copies of the priority documents have been received.

received in Application No. (Series Code/Senal Number) \_\_\_\_\_

received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

#### Attachment(s)

Notice of Reference Cited, PTO-892

Information Disclosure Statement(s), PTO-1449, Paper No(s) \_\_\_\_\_

Interview Summary, PTO-413

Notice of Draftsperson's Patent Drawing Review, PTO-948

Notice of Draftsperson's Patent Application, PTO-151

  
**MERRICK DIXON**  
**PRIMARY EXAMINER**

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The Group and/or Art Unit location of your application in the PTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Group Art Unit 1774.

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Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-13 are, drawn to a method to repair/reinforce preexisting structure, classified in class 427, subclass 209.
- II. Claims 14-19 are, drawn to an anisotropic textile, classified in class 428, subclass 297.4.

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The inventions are distinct, each from the other because:

Inventions II and I are distinct and separate from each other because Invention I relates to a method for repair/reinforcing preexisting structure while Invention II relates an anisotropic textile.

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Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

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Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

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a telephone call was made to applicant's attorney, Mr. H. Pitlick on 9-10-01 to request an oral election to the above restriction requirement, but did not result in an election being made.

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### **Crystal Plaza Three Fax Center**

a facsimile center has been established in Crystal Plaza 3. The hours of operations are Mondays through Friday, 8:45 to 4:45 PM. This new location should be used in all instances when faxing any correspondence to Group 1700. The Patent Examining Fax Center new telecopier numbers are (703) 305-3599 for all After Finals and 703-305-5408 for all others. Use of the new Crystal Plaza 3 center will facilitate rapid delivery of materials to the group. The faxing of all papers must conform with the notice published in the Official Gazette, 1096 O.G. 30 ( November 15, 1989). **New!** Applicants who wish to send a facsimile (draft copies) for the examiner's immediate review can now do so by using the Examiner Dixon's personal fax number at 703-872-9514. **NOTE: All facsimiles sent to the examiner's personal fax number should be in draft-forms and will be**

**treated as informal. Same facsimiles will not be entered** in the related applications unless otherwise noted by the examiner.

**Any inquiry of general nature or relating to the status of this application or proceeding should be directed to the receptionist whose number is (703)308-2351.**

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Any questions concerning the instant communication should be directed to Examiner Dixon, at 703-308-0013, Mondays to Thursdays, between 12 noon and 6 PM, eastern time .



Merrick Dixon

Primary Examiner

Group 1700